THE
Dan Smoot Report

Vol. 13, No. 14 (Broadcast 606) April 3, 1967 Dallas, Texas

DAN SMOOT

TURN THE RASCALS OUT

On March 16, 1967, the Senate ratified a Consular Treaty with the Soviet Union by a stand of 69 to 31. The actual vote was 66 to 28, but in roll-call tabulations on Page 56 of this *Report*, we use "stand" instead of "vote" to show all of the Senators who went on record in support of the treaty, all who went on record opposing it.

Apart from broad assertions that ratification of the Consular Treaty would help President Johnson's efforts to build bridges of friendship and trade to Soviet-bloc nations, the *only* argument for the Consular Treaty was that it would protect American nationals traveling in the Soviet Union. Secretary of State Dean Rusk said:

"The main purpose of the Consular Convention is to provide a needed legal basis for the protection of Americans who might be arrested in the USSR. The number of Americans traveling to that country has now reached a total of some 18,000 annually. Under present Soviet law, arrested persons can be held incommunicado for nine months or longer during investigation of a criminal charge. The Consular Convention specifies that U.S. officials will be notified immediately (within 1-3 days) when an American citizen is arrested or detained in the Soviet Union, and it stipulates that our officials will be allowed to visit the American without delay (within 2-4 days) and on a continuing basis thereafter."(1)

This argument for the Consular Treaty distorts truth by concealing the fact that we have a 34-year-old agreement for the protection of Americans in the Soviet Union — an agreement as clear and specific as the new Consular Treaty.

In the November 16, 1933, memoranda exchanged between Maxim Litvinov (Soviet Commissar for Foreign Affairs) and President Franklin D. Roosevelt — which constitute the official agree-

THE DAN SMOOT REPORT is published weekly by The Dan Smoot Report, Inc., Box 9538, Dallas, Texas 75214 (office at 6441 Gaston Ave.). Subscriptions: $18.00 for 2 years; $10.00, 1 year; $6.00, 6 months; first class, $12.50 a year; airmail, $14.50. Dan Smoot was born in Missouri, reared in Texas. With BA and MA degrees from SMU (1938 and 1940), he joined the Harvard faculty (1941) as a Teaching Fellow, doing graduate work in American civilization. From 1942 to 1951, he was an FBI agent; from 1951 to 1955, a commentator on national radio and television. In 1955, he started his present independent, free-enterprise business: publishing this REPORT and abbreviating it each week for radio and TV broadcasts available for commercial sponsorship by business firms.

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ments made when Roosevelt extended diplomatic recognition to the Soviet Union — there is a memorandum from Litvinov to Roosevelt providing, among other things:

"Each of the Contracting Parties undertakes to adopt the necessary measures to inform the consul of the other Party as soon as possible whenever a national of the country which he represents is arrested in his district . . . .

"Such . . . [notifications] shall be made within a period not exceeding seven . . . [days], and in large towns . . . within a period not exceeding three [days] . . . .

"Requests made by consular representatives to visit nationals of their country under arrest . . . shall be granted without delay."

In his memorandum to Roosevelt, Litvinov said:

"I desire to state that such rights will be granted to American nationals immediately upon the establishment of relations between our two countries."[2]

The State Department's published collection of documents dealing with U.S.-U.S.S.R. relations from 1933 to 1939 reveals that the Soviets contemptuously violated their agreements to protect the rights of American nationals from the day the agreements were made. The State Department volume mentions hundreds of Soviet violations in the 1933-1939 period. The Johnson administration's admission that there is an urgent need to protect American nationals in the Soviet Union is, of course, proof enough that the Soviets are still violating the agreements of 1933.

How can anyone in his right mind honestly claim that the Soviets will honor promises made in the consular agreement of 1967, when they have habitually dishonored the same promises made in the agreements of 1933?

Conservative arguments (many and compelling) against the Consular Treaty included the fact that the treaty would expand Soviet espionage in the U.S. Liberals belittled conservative fear of espionage as hysteria. Six days after the Senate ratified the treaty, the biggest Soviet spy network ever uncovered was exposed in Italy. It involves 300 Americans and Europeans (both civilian and military) who have been working in NATO as spies, feeding the Soviets secret information about Western defenses.[3]

The most unanswerable conservative argument against the Consular Treaty was reference to the historical record which proves that the Soviets will not keep treaty commitments.

Senator Stephen M. Young, from Ohio, tried to answer the unanswerable. During Senate debate on March 15, he said:

"Some of those expressing vigorous opposition to our ratification of the Consular Convention have even asserted that the Russians have violated every treaty they have made with this country. Very definitely this is not true . . . . Surely there is every reason to believe that the provisions of this treaty will be respected and complied with."

Young conceded that Stalin used to violate agreements, but he asserted: "Times have changed . . . . Russian leaders of the Kremlin [now] appear to genuinely seek friendship with nations of the free world."

To prove his point, Young mentioned the Test Ban Treaty of 1963:

"We all recall that prior to ratification of this Limited Nuclear Test Ban Treaty there were many who gave out dire warnings that it would be a . . . threat to American security . . . .

"I doubt that there is one among us who could maintain that the limited nuclear test ban treaty has in any way endangered the security of the United States . . . . the Soviet Union has meticulously complied with its obligations."[4]

Through ignorance or dishonesty, Young failed to mention that the Soviets violated the test ban moratorium of 1958-1961 to develop an anti-missile missile, then tied us down with the test ban treaty of 1963 to prevent us from developing this desperately needed weapon.

Young also ignored an impressive Senate study

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on Soviet treaty violations. The study (*Soviet Political Agreements and Results*) was first published in 1956, after two years of research by the Senate Internal Security Subcommittee and the Legislative Reference Service of the Library of Congress. In a foreword to the publication, Senator James O. Eastland said:

"Communism is not an evil thing only because it has been controlled by evil men since it first rose to power in 1917.

"It is organically evil. You must renounce 'bourgeois morality,' you must become an evil man before you can become a good Communist. You must be a liar, a cheat, and probably a spy before you can represent a Communist nation in international diplomacy. You must have no more regard for honor when you sign an agreement on behalf of your country, than a forger does when he puts a name on a check.

"That . . . is the basic meaning of the facts assembled in this study of the Soviet treaty record . . . .

"The staff studied nearly a thousand treaties and agreements . . . which the Soviets have entered into not only with the United States, but with countries all over the world. The Staff found that . . . the Soviet Union . . . had broken its word to virtually every country to which it ever gave a signed promise. It signed treaties of nonaggression with neighboring states and then absorbed those states. It signed promises to refrain from revolutionary activity inside the countries with which it sought 'friendship,' and then cynically broke those promises . . . ."[5]

The Senate study listed all treaties and political agreements made by the Soviets from 1917 through 1955, showing violations of practically all of them. In 1964, the Senate published (in two volumes) the third revision of *Soviet Political Agreements and Results*, updating it to August, 1963, showing that the Soviet record of treaty violations remains unbroken. These facts were available to Senators who voted for the Consular Treaty.

Senators were also aware that the American public was opposed to ratification. Senator Charles Percy boasted about his support of the Consular Treaty, despite the fact that his mail was 200 to 1 against the treaty.[6] Senator Everett Dirksen, who has the same constituency that Percy has, must have had comparable mail. Moreover, Dirksen was initially opposed to the treaty. Senator Mike Mansfield conceded that he received "literally hundreds of letters" against the treaty, but "not . . . one letter in favor of it."[7]

Yet, Percy, Dirksen, and Mansfield joined 66 other Senators to defy history and the expressed wishes of the American people. They also rejected all efforts to make the treaty less objectionable:

(1) Talmadge's amendment to limit immunities to consular officials only and to misdemeanors only; (2) Mundt's "free press" reservation to demand the same treatment for American newsmen in the Soviet Union that Soviet newsmen get here; (3) Mundt's reservation to prevent the treaty from going into effect as long as Soviet aid is being used against Americans in Vietnam; (4) Curtis' Vietnam reservation to the same effect as Mundt's; (5) Thurmond's security reservation.

Senate rejection of the Thurmond reservation is almost unbelievable. Senator Strom Thurmond proposed that if the treaty was to be ratified, the Senate should attach a clause to the ratification resolution saying that "nothing in the treaty be construed as diminishing, abridging, or weakening the right of the United States to safeguard its own security." The Senate rejected that reservation by a stand of 75 to 25!

The people tried in vain to prevent ratification of the Consular Treaty. What can they do now?

They can discuss and distribute this *Report* of Senate roll calls on the Consular Treaty until a majority of all voters know how their two Senators stood. Regardless of other important issues that will come up, the people can keep this issue alive until every Senator who supported the Consular Treaty is defeated at the polls.

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SUGGESTION: In addition to distributing this *Report* to inform others, send a copy to each of your U.S. Senators, with a personal note — thanking him if he opposed the Consular Treaty, letting him know that you will work against his re-election if he supported the treaty.

SENATE ROLL CALL VOTES ON CONSULAR TREATY

"C" in columns 1-5 means conservative stand for reservations to the treaty
"C" in column 6 means conservative stand against ratification
"L" in columns 1-5 means liberal stand against reservations to the treaty
"L" in column 6 means liberal stand for ratification
"O" no vote or stand

1--Talmadge's immunities limitation
2--Mundt's free press reservation
3--Mundt's Vietnam reservation
4--Curtis' Vietnam reservation
5--Thurmond's security reservation
6--ratification

	1	2	3	4	5	6
ALABAMA						
Hill	C	C	C	C	C	C
Sparkman	L	L	L	L	L	L
ALASKA						
Bartlett	O	L	L	L	L	L
Gruening	C	C	C	L	L	C
ARIZONA						
Hayden	L	L	L	L	L	L
Fannin	C	C	C	C	C	C
ARKANSAS						
Fulbright	L	L	L	L	L	L
McClellan	C	C	C	C	C	C
CALIFORNIA						
Kuchel	L	L	L	L	L	L
Murphy	C	C	C	C	C	C
COLORADO						
Allot	L	L	L	L	C	L
Dominick	L	C	L	L	C	L
CONNECTICUT						
Dodd	C	C	C	C	C	C
Ribicoff	L	L	L	L	L	L
DELAWARE						
Boggs	L	L	L	L	L	L
Williams	C	C	C	C	L	C
FLORIDA						
Holland	C	L	L	L	C	C
Smathers	O	O	L	O	L	L
GEORGIA						
Russell	C	C	C	C	C	C
Talmadge	C	O	C	C	C	C
HAWAII						
Inouye	L	L	L	L	L	L
Fong	L	L	L	L	L	L
IDAHO						
Church	L	L	L	L	L	L
Jordan	C	C	C	L	C	C
ILLINOIS						
Dirksen	L	L	L	L	L	L
Percy	L	L	L	L	L	L
INDIANA						
Bayh	L	L	L	L	L	L
Hartke	O	L	L	L	L	L
IOWA						
Hickenlooper	L	L	L	L	L	L
Miller	L	C	C	L	L	C
KANSAS						
Carlson	L	L	C	L	L	L
Pearson	L	L	L	L	L	L
KENTUCKY						
Cooper	L	L	L	L	L	L
Morton	L	L	L	L	L	L
LOUISIANA						
Ellender	L	L	L	L	L	L
Long	C	L	L	L	L	C
MAINE						
Muskie	O	L	L	L	L	L
Smith	L	L	C	L	L	L
MARYLAND						
Brewster	L	L	L	L	L	L
Tydings	L	L	L	L	L	L
MASSACHUSETTS						
Kennedy	L	L	L	L	L	L
Brooke	L	L	L	L	L	L
MICHIGAN						
Hart	L	L	L	L	L	L
Griffin	L	L	L	L	C	L
MINNESOTA						
McCarthy	L	L	L	L	L	L
Mondale	L	L	L	L	L	L
MISSISSIPPI						
Eastland	C	C	C	C	C	C
Stennis	C	C	C	C	C	C
MISSOURI						
Long	L	L	L	L	L	L
Symington	L	L	L	L	L	L
MONTANA						
Mansfield	L	L	L	L	L	L
Metcalf	L	L	L	L	L	L
NEBRASKA						
Curtis	C	C	C	C	C	C
Hruska	C	C	C	C	C	C
NEVADA						
Bible	C	L	L	L	L	C
Cannon	C	L	L	L	L	C
NEW HAMPSHIRE						
McIntyre	L	L	L	L	L	L
Cotton	C	C	C	C	C	C
NEW JERSEY						
Williams	L	L	L	L	L	L
Case	L	L	L	L	L	L
NEW MEXICO						
Anderson	L	L	L	L	L	L
Montoya	C	L	L	L	L	C
NEW YORK						
Kennedy	L	L	L	L	L	L
Javits	L	L	L	L	L	L
NORTH CAROLINA						
Ervin	C	C	C	C	C	C
Jordan	L	L	L	L	L	L
NORTH DAKOTA						
Burdick	L	L	L	L	L	L
Young	L	L	C	C	C	C
OHIO						
Lausche	C	C	C	L	L	C
Young	L	L	L	L	L	L
OKLAHOMA						
Harris	L	L	L	L	L	L
Monroney	L	L	L	L	L	L
OREGON						
Morse	L	L	L	L	L	L
Hatfield	L	L	L	L	L	L
PENNSYLVANIA						
Clark	L	L	L	L	L	L
Scott	L	L	L	L	L	L
RHODE ISLAND						
Pastore	L	L	L	L	L	L
Pell	L	L	L	L	L	L
SOUTH CAROLINA						
Hollings	C	C	C	C	C	C
Thurmond	C	C	C	C	C	C
SOUTH DAKOTA						
McGovern	L	L	L	L	L	L
Mundt	C	C	C	C	C	C
TENNESSEE						
Gore	O	L	L	L	L	L
Baker	L	L	L	L	L	L
TEXAS						
Yarborough	L	O	L	L	L	L
Tower	C	C	C	C	C	C
UTAH						
Moss	L	L	L	L	L	L
Bennett	L	L	L	L	L	L
VERMONT						
Aiken	L	L	L	L	L	L
Prouty	O	L	L	L	L	L
VIRGINIA						
Byrd, Jr.	C	L	C	C	C	C
Spong	C	L	L	L	L	L
WASHINGTON						
Jackson	L	L	L	L	L	L
Magnuson	L	L	L	L	L	L
WEST VIRGINIA						
Byrd	C	L	C	L	L	C
Randolph	L	L	L	L	L	L
WISCONSIN						
Nelson	L	L	L	L	L	L
Proxmire	L	L	L	L	L	L
WYOMING						
McGee	L	L	L	L	L	L
Hansen	O	C	C	C	C	C

--Names of Republican Senators are underscored.

FOOTNOTES

(1) "Consular Convention With The Soviet Union," submitted by U.S. Sen. Mike Mansfield (Mont. Dem.), *Congressional Record*, March 13, 1967, pp. S3580-1 (daily)

(2) *Foreign Relations of the United States; Diplomatic Papers; The Soviet Union;* 1933-1939, United States Department of State, U.S. Government Printing Office, Washington, D.C. 1952, pp. 33-4

(3) "Vast Spy Ring Indicated," UPI dispatch from Turin, Italy, *The Dallas Morning News*, March 23, 1967, p. A4

(4) "Consular Convention With The Soviet Union," speech by U.S. Sen. Mike Mansfield (Mont. Dem.), March 15, 1967, *Congressional Record*, pp. S3835-56 (daily)

(5) "Foreword," by U.S. Sen. James O. Eastland (Miss. Dem.), *Soviet Political Agreements And Results*, U.S. Senate Judiciary Committee, U.S. Government Printing Office, Washington, D.C., 1956, pp. V-XI

(6) "Percy asks UN to activate Vietnam peace negotiations," by Godfrey Sperling, Jr., *The Christian Science Monitor*, March 9, 1967, p. 3

(7) "The Consular Convention — East-West Trade Act," speech by U.S. Sen. Mike Mansfield (Mont. Dem.), *Congressional Record*, February 1, 1967, pp. S1276-80 (daily)

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